

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

R.W. , a minor individually, by and through :
his parent and natural guardian SARAH
WILLIAMS and SARAH WILLIAMS :
individually,

Plaintiffs

v.

DELAWARE DEPARTMENT OF
EDUCATION, et al.

Defendants

Civil Action No. 05-662 GMS-MPT

ORDER ADOPTING MAGISTRATE JUDGE'S
RECOMMENDATION ABSENT TIMELY OBJECTION

This Order is issued upon consideration of the Report and Recommendation of United States Magistrate Judge Mary Pat Thyng issued on September 22, 2008, and upon the expiration of the time allowed for objections pursuant to Rule 72 of the Federal Rules of Civil Procedure with no objection having been received.

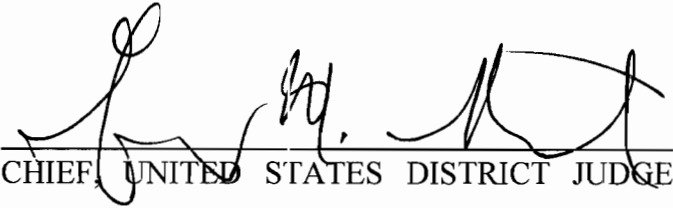
Accordingly, IT IS this 9th day of October, 2008, by the United States District Court for the District of Delaware, ORDERED that:

1. Magistrate Judge Thyng's Report and Recommendation (D.I. 80) BE, and the same hereby IS, ADOPTED;

2. The plaintiff R.W.'s claims are stayed until he turns eighteen or is emancipated, whichever occurs first. Thereafter, he will have sixty days within which to file an answering brief or otherwise appropriately respond to defendants' motions to dismiss (D.I. 28 and D.I. 54);

3. The defendants' motions to dismiss (D.I. 28 and D.I. 54) plaintiff Sarah Williams' claims are granted and her claims are dismissed with prejudice pursuant to Fed. R. Civ. P. 12(b)(6); and

4. This case will be administratively closed consistent with the above.


CHIEF, UNITED STATES DISTRICT JUDGE

